

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 8-29-97

UNITED STATES OF AMERICA

v.

Case Number 97-CR-023-001-K

SHANNON L. JONES
Defendant.

FILED
IN OPEN COURT

AUG 29 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, SHANNON L. JONES, was represented by Julia O'Connell.

On motion of the United States the court has dismissed Counts 2 & 3 of the Indictment.

The defendant pleaded guilty May 7, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
8 USC 1001	False Statement to Government Agency	10/27/93	1

As pronounced on August 14, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 28 day of August, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 440-72-2186
Defendant's Date of Birth: 1/8/73
Defendant's mailing address: 1652 S. 130th E. Ave Apt D, Tulsa OK 74128
Defendant's residence address: Tulsa County Jail

Defendant: SHANNON L. JONES
Case Number: 97-CR-023-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 11 months.

The Court makes the following recommendations to the Bureau of Prisons: Classification provisions permitting, the Court recommends that the defendant be confined in a facility capable of providing comprehensive substance abuse treatment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on September 15, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: SHANNON L. JONES
Case Number: 97-CR-023-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: SHANNON L. JONES
Case Number: 97-CR-023-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$5,000.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Tulsa Housing Authority Attn: Dede Cottrel PO Box 6369 Tulsa OK 74106	\$5,000

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: SHANNON L. JONES
Case Number: 97-CR-023-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except the Court made a finding that the loss amount for both guideline calculations and restitution purposes was \$9,551, rather than \$13,997, as noted in the presentence report. Based on this finding, the Court reduced the defendant's total offense level one point to level 8, resulting in a guideline imprisonment range of 6 to 12 months, based on a criminal history category of III.

Guideline Range Determined by the Court:

Total Offense Level:	8
Criminal History Category:	III
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 9,551

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason: because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court }
Northern District of Oklahoma } SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
Phil Lombardi, Clerk
By CSM
Deputy

24

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 27 1997 *rm*

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 97-CR-019-001-BU

ANTHONY LAMAR JOHNSON
 Defendant.

ENTERED ON DOCKET

DATE 8-27-97

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, ANTHONY LAMAR JOHNSON, was represented by Julia O'Connell.

The defendant pleaded guilty May 28, 1997, to Count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1709	Theft of Mail Matter By Officer or Employee	02/21/97	1

As pronounced on August 21, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 26th day of August, 1997.

Michael Burrage
 The Honorable Michael Burrage
 United States District Court

United States District Court }
 Northern District of Oklahoma } SS
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this court. Phil Lombardi, Clerk

By *R. Miller*
 Deputy

Defendant's SSN: 304-78-2244

Defendant's Date of Birth: September 26, 1968

Defendant's residence and mailing address: 2332 S. Jackson, #37A, Tulsa OK 74107

Defendant: ANTHONY LAMAR JOHNSON
Case Number: 97-CR-019-001-BU

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of six (6) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the United States Probation Office.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
7. The defendant shall participate in and successfully complete domestic violence counseling during the term of supervised release.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ANTHONY LAMAR JOHNSON
Case Number: 97-CR-019-001-BU

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 500, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: ANTHONY LAMAR JOHNSON
Case Number: 97-CR-019-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	6
Criminal History Category:	II
Imprisonment Range:	1 months to 7 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

FILEDUNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT COURT OF OKLAHOMA

AUG 27 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

No. 97-CR-019-001-BU

ANTHONY LAMAR JOHNSON)

Defendant)

ENTERED ON DOCKET

DATE 8-27-97ORDER ON MODIFICATION
OF CONDITIONS OF PROBATION

Now on this 26th day of August 1997, this cause comes on for a hearing to modify conditions of probation. The defendant is represented by Julia O'Connell. The Government is represented by Assistant United States Attorney Rick Dunn, and the United States Probation Office is represented by Scott Kallenberger.

The defendant was heretofore, on May 28, 1997, convicted by a plea of guilty in Count One charging Theft of Mail, a violation of 18 USC § 1709. Defendant was sentenced to a five year term of probation on August 21, 1997. Conditions of probation require participation in mental health, domestic violence, and substance abuse programing; adherence to the "special financial conditions;" and home detention to include electronic monitoring for a period of six months.

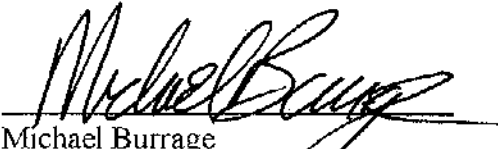
Shortly after sentencing, reliable information was presented to the Court indicating the defendant did not have stable residence or means to secure telephone service, thus rendering impossible execution of the Court's order of home confinement. The Court finds based on evidence presented that defendant does not, and likely will not in the immediate future, maintain facilities to implement a home confinement condition, accordingly the following is ordered.

It is adjudged by the Court that the special condition of probation requiring a six month term of home confinement be vacated and the conditions of probation be modified to include the following special condition:

The defendant shall serve the first six (6) months in community confinement, as scheduled, arranged, and approved by the U.S. Probation Office. The defendant shall abide by all rules and conditions as established by said community confinement facility. The defendant may be allowed to maintain employment while in community confinement.

The standard conditions of probation and the remaining special conditions of probation as pronounced on August 21, 1997, shall remain in effect.

So ordered, this 26 Day of August 1997.


Michael Burrage
United States District Judge

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 27 1997 *pm*

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

v.

Case Number 96-CR-115-001-BU

BILL J. HANZLICEK
 Defendant.

ENTERED ON DOCKET

DATE 8-27-97

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, BILL J. HANZLICEK, was represented by Craig Bryant.

The defendant was found guilty on March 25, 1997, on Counts 1, 2, 3, 4, & 5 of the Superseding Indictment after a plea of not guilty. On July 21, 1997, the Court sustained the defendant's Motion for Dismissal of Count 4; accordingly, the defendant is adjudged guilty of Counts 1, 2, 3, & 5 of the Superseding Indictment, involving the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy	12/31/95	1
18 USC 1341, & 2(a)	Mail Fraud and Aiding and Abetting	12/31/95	2 & 3
18 USC 472, & 2(a)	Passing A Counterfeit Obligation of the United States and Aiding and Abetting	12/31/95	5

As pronounced on August 20, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 1, 2, 3, & 5 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 26th day of August, 1997.

Michael B. Borge
 The Honorable Michael Borge
 United States District Court
 Northern District of Oklahoma

Defendant's SSN: 512-36-4525

Defendant's Date of Birth: September 12, 1939

Defendant's residence and mailing address: Rt. 1 Box 38, Fairview KS 66438

I hereby certify that the foregoing
 is a true copy of the original on file
 in this court.
 Phil Lombardi, Clerk

By *R. Miller*
 Deputy

Defendant: BILL J. HANZLICEK
Case Number: 96-CR-115-001-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 5 months as to each count, said counts to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be placed at a Community Confinement Center nearest to his home to serve his term of imprisonment.

The defendant shall surrender to the Bureau of Prisons before 12:00 p.m. on September 30, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: BILL J. HANZLICEK
Case Number: 96-CR-115-001-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, as to each count, said counts to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of five (5) months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. One half of the entire cost of this program shall be paid by the defendant, and the other half shall be paid by the United States Probation Office.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: BILL J. HANZLICEK
Case Number: 96-CR-115-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	16	
Criminal History Category:	I	
Imprisonment Range:	21 months to 27 months	Cts 1, 2, 3, & 5
Supervised Release Range:	2 to 3 years	Cts 1, 2, 3, & 5
Fine Range:	\$ 5,000 to \$ 50,000	Cts 1, 2, 3, & 5
Restitution:	\$n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: The Court finds that there exists a unique combination of factors, the defendant's age and lack of criminal history, the existence of some amount of coercion by the defendant's wife, and the aberrant nature of his behavior based on his history that place this case outside the heartland of typical cases which the applicable guideline describes. This finding is in accordance with U.S. v Pena, 930 F.2d 1486 (10th Cir. 1991), Koon v U.S., 116 S.Ct. 2035 (1996), and USSG §5K2.0. Accordingly, the Court elects to depart downward four levels to the offense level of 12, Criminal History Category of I, for a guideline custody range from 10 to 16 months.

FILEDAUG 27 1997 *rm*

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 96-CR-115-002-BU ✓

KAREN PEARL a/k/a KAREN PEARL HANZLICEK
 Defendant.

ENTERED ON DOCKET

DATE 8-27-97

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, KAREN PEARL a/k/a KAREN PEARL HANZLICEK, was represented by William D. Lunn.

The defendant was found guilty on March 25, 1997, on Counts 1, 2, 3, 4, & 5 of the Superseding Indictment after a plea of not guilty. On July 21, 1997, the Court sustained the Defendant's Motion for Dismissal of Count 4; accordingly, the defendant is adjudged guilty of Counts 1, 2, 3, & 5 of the Superseding Indictment, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371	Conspiracy	12/31/95	1
18 USC 1341, & 2(a)	Mail Fraud and Aiding and Abetting	12/31/95	2 & 3
18 USC 472, & 2(a)	Passing A Counterfeit Obligation of the United States and Aiding and Abetting	12/31/95	5

As pronounced on August 21, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 1, 2, 3, & 5 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 26th day of August, 1997.

Michael Burrage
 The Honorable Michael Burrage
 United States District Judge

Defendant's SSN: 514-44-1207

Defendant's Date of Birth: June 16, 1945

Defendant's residence and mailing address: 500 S. Denver, Tulsa OK 74103

I hereby certify that the foregoing
 is a true copy of the original on file
 in this court. Phil Lombardi, Clerk

By *R. Miller*
 Deputy

Defendant: KAREN PEARL a/k/a KAREN PEARL HANZLICEK
Case Number: 96-CR-115-002-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 23 months as to each count, said counts are to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant receive a mental health examination and vocational training during incarceration.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: KAREN PEARL a/k/a KAREN PEARL HANZLICEK
Case Number: 96-CR-115-002-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years as to each count, said counts are to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: KAREN PEARL a/k/a KAREN PEARL HANZLICEK
Case Number: 96-CR-115-002-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except the Court determines that the defendant's date of arrest is November 5, 1996; any reference made in the presentence report to counterfeit be changed to falsely made; relative to paragraphs 6 and 7, there is no information that the defendant was a member of the Posse Comitatus, the Christian Patriots, or United Sovereigns of America, and furthermore, this data is for historical information only; relative to paragraph 30, the report is amended to reflect that the vehicle had been stolen; relative to paragraph 32, the report is amended to reflect the defendant and her husband have had no contact with the exception of the exchange of letters; relative to paragraph 36, the report is amended to reflect that the defendant did not withdraw, but rather the school closed before the defendant completed requirements for a degree or certification.

Guideline Range Determined by the Court:

Total Offense Level:	16	
Criminal History Category:	I	
Imprisonment Range:	21 months to 27 months	Cts 1, 2, 3, & 5
Supervised Release Range:	2 to 3 years	Cts 1, 2, 3, & 5
Fine Range:	\$ 5,000 to \$ 50,000	Cts 1, 2, 3, & 5
Restitution:	\$ n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 26 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

WILLIE WALTER FRISBY,

Defendant.

No. 97-CR-82-BU H

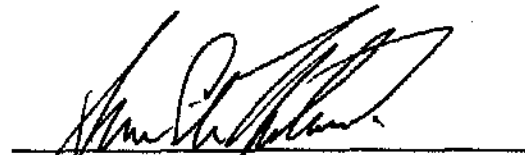
ENTERED ON DOCKET

DATE 8-27-97

ORDER

Now on this 26TH day of August, 1997, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Information against defendant in the above styled cause. The Court finds that said request ought to be granted and the Information against defendant WILLIE WALTER FRISBY is dismissed, without prejudice.

IT IS SO ORDERED.


United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

AUG 27 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 96-CR-079-001-BU

LAWRENCE BRUMBACK
Defendant.ENTERED ON DOCKET
DATE AUG 27 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, LAWRENCE BRUMBACK, was represented by John Ghostbear.

The defendant pleaded guilty to counts 1, 2, and 3 of the Information on July 11, 1996. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371	Conspiracy	09-14-95	1
18 USC 1955 & 2	Illegal Gambling & Aiding and Abetting	09-14-95	2
18 USC 1511	Obstruction of Justice	09-14-95	3

As pronounced on August 20, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150.00, for counts 1, 2 & 3 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 26th day of August, 1997.

Michael Burrage
 The Honorable Michael Burrage,
 United States District Judge

Defendant's SSN: 448-40-9469
 Defendant's Date of Birth: 12-26-40
 Defendant's mailing address: P.O. BOX 66, CHELSEA, OK 74016
 Defendant's residence address: KETCHUM COVE PARK, KETCHUM, OK

United States District Court
 Northern District of Oklahoma
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this court.
 Phil Lombardi, Clerk
Phil Lombardi
 Deputy

22

Defendant: LAWRENCE BRUMBACK
Case Number: 96-CR-079-001-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of six (6) months on each of Counts 1, 2 & 3 of the Information, each count to run concurrently, each with the other.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on September 30, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: LAWRENCE BRUMBACK
Case Number: 96-CR-079-001-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years on each count, all counts to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of six (6) months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: LAWRENCE BRUMBACK
Case Number: 96-CR-079-001-BU

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 25,000 on Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LAWRENCE BRUMBACK
Case Number: 96-CR-079-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	16	
Criminal History Category:	I	
Imprisonment Range:	21 months to 27 months	Counts 1,2, & 3
Supervised Release Range:	2 to 3 years	Counts 1,2, & 3
Fine Range:	\$ 5,000 to \$ 50,000	Counts 1,2, & 3
Restitution:	N/A	

The sentence departs from the guideline range for the following reason(s): upon motion of the government, as a result of defendant's substantial assistance.

8/26/97

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-058-002-H

MELISSA LYNN BEKEDEREMO
 Defendant.

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

The defendant, MELISSA LYNN BEKEDEREMO, was represented by Michael G. McGuire.

On motion of the United States the court has dismissed count(s) 2-4, 7, 11-16, 18-22 of the second Superseding Indictment.

The defendant pleaded guilty to count(s) 1, 17, and 23 of the second Superseding Indictment on September 10, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

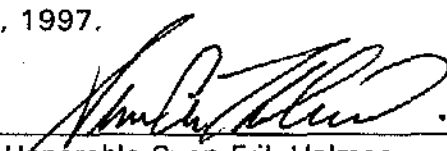
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Commit Bank Fraud	11/02/95	1
18 USC 1344(1)	Bank Fraud	03/05/96	17
18 USC 1001	False Statement	02/23/96	23

As pronounced on January 6, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150.00, for count(s) 1, 17, and 23 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21st day of August, 1997.


 The Honorable Sven Erik Holmes
 United States District Judge

Defendant's SSN: 446-92-5989

Defendant's Date of Birth: 04/17/70

Defendant's residence and mailing address: 28508 E. 141st., Apt. 63, Coweta, OK

16

Defendant: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months as to each count, said counts to be served concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant serve this term at the FMC, Fort Worth, Texas.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on February 5, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: MELISSA LYNN BEKEDEREMO

Case Number: 96-CR-058-002-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years, 3 years as to Counts 1 and 23, and 5 years as to Count 17, all counts to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

RESTITUTION AND FORFEITURE**RESTITUTION**

The total amount of restitution imposed on individual counts, are as follows: \$2,695.00 on Count 1 and \$6,350 on Count 17, and \$955.00 on Count 23.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Boston (Ct. 1) 133 Federal Street, Suite 500 Boston, Mass 02110	\$2,695
Fleet Bank (Ct. 17) 225 Rainbow Mall Niagara Falls, N.Y. 14303	\$6,350
Department of Human Services (Ct. 23) P.O. Box 25352 Oklahoma City, OK 73125	\$955

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:
7 items as described in Preliminary Order of Forfeiture, filed January 6, 1997.

Defendant: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months - Cts. 1, 17, and 23
Supervised Release Range:	2 to 3 years - Ct. 1 2 to 3 years - Ct. 23 5 years - Ct. 17
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ 99,750.86

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason(s): Because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): Upon motion of the government, as a result of defendant's substantial assistance.

RA

ENTERED ON DOCKET

DATE 8/26/97

FILED

AUG 22 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMAUNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-002-01-H

DEREK SCHELL
Defendant.**JUDGMENT IN A CRIMINAL CASE**
(For Offenses Committed On or After November 1, 1987)

The defendant, DEREK SCHELL, was represented by Stephen Knorr.

On motion of the United States the court has dismissed Counts 3 through 6 of the Indictment.

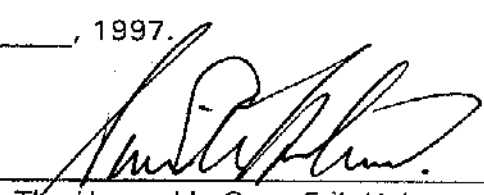
The defendant pleaded guilty March 5, 1997, to Counts 1 & 2 of the Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
8 USC 922(a)(6)	False Statement to Obtain Firearm	9/23/95	1
18 USC 922(g)(1)	Possession of a Firearm After Conviction of a Felony	9/23/95	2

As pronounced on August 15, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Counts 1 & 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21st day of August, 1997.

 The Honorable Sven Erik Holmes
 United States District Judge

Defendant's SSN: 447-64-1889

Defendant's Date of Birth: 9/28/70

Defendant's residence and mailing address: 5816 E. 71 Pl. #1306, Tulsa OK

Defendant: DEREK SCHELL
Case Number: 97-CR-002-01-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 44 months as to Counts 1 & 2, said counts to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That classification provisions permitting, the defendant be placed in a facility offering comprehensive drug abuse counseling.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DEREK SCHELL
Case Number: 97-CR-002-01-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, as to Counts 1 & 2, said counts to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DEREK SCHELL
Case Number: 97-CR-002-01-H

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 4,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DEREK SCHELL
Case Number: 97-CR-002-01-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	15	
Criminal History Category:	V	
Imprisonment Range:	37 months to 46 months	Counts 1 & 2
Supervised Release Range:	2 to 3 years	Counts 1 & 2
Fine Range:	\$ 4,000 to \$ 40,000	Counts 1 & 2
Restitution:	\$ n/a	

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

Entered

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 22 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)

Plaintiff)

VS)

JOHN IRA SEXTON)

Defendant)

Case Number 91-CR-118-001-C

ENTERED ON DOCKET

DATE 8/22/97

ORDER REVOKING SUPERVISED RELEASE

Now on this 20th day of August 1997, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on July 11, 1997. The defendant is present in person and represented by counsel, Craig Bryant. The Government is represented by Assistant U.S. Attorney Neil Kirkpatrick, and the United States Probation Office is represented by Larry Morris.

On August 5, 1997, a revocation hearing was held regarding the allegations noted in the Petition on Supervised Release, filed on July 11, 1997, said allegations being that on May 29, 1997, Sexton entered a plea of guilty to Count One and Count Two of a three-count Information charging him with Assault and Battery and Public Intoxication, filed in Creek County District Court in case number CM-97-287. On June 2, 1997, an Information was filed in Osage County District Court, charging Sexton with Burglary II in case number CF-97-163. Sexton was again arrested on June 27, 1997, and placed in the Creek County Jail for Public Intoxication. The Court found that Sexton was in violation of the conditions of his release as alleged in the petition. Sentencing was set for August 18, 1997. On

United States District Court,
Northern District of Oklahoma
I hereby certify that the foregoing
is a true copy of the original on file
in this court.


Phil Lombardi, Clerk

By Seamus M. Callahan
Deputy

August 15, 1997, the Sentencing Hearing was continued until August 20, 1997.

On August 20, 1997, as a result of the sentencing hearing, the Court found that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constitute a Grade B violation in accordance with U.S.S.G. § 7B1.1(a)(2), and the defendant's criminal history category of V is applicable for determining the imprisonment range. In addition, the Court found that a Grade B violation and a criminal history category of V establish a revocation imprisonment range of eighteen (18) to twenty-four (24) months in accordance with U.S.S.G. § 7B1.4(a) and 18 U.S.C. § 3583(e). In consideration of these findings and pursuant to U.S. vs. Lee, 757 2d 770 (10th Cir. 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is the judgment of the Court that the defendant, John Ira Sexton, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of eighteen (18) months. The Court recommends that the defendant be placed in the Bureau Of Prisons' five hundred (500) hour Comprehensive Drug Treatment Program.


The Honorable H. Dale Cook
United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 8-20-97

UNITED STATES OF AMERICA

v.

Case Number 97-CR-032-02-K

CHARLES ALLEN CRITTENDEN
Defendant.

FILED

AUG 18 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, CHARLES ALLEN CRITTENDEN, was represented by Reuben Davis.

The defendant pleaded guilty May 12, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy	2/9/97	1

As pronounced on August 12, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15 day of August, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 445-56-5401

Defendant's Date of Birth: 10/20/53

Defendant's residence and mailing address: HC 60, Box 1182-1, Checotah OK 74426

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 13 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court strongly recommends that the Bureau of Prisons designate the Defendant to an institution where he can be placed in a comprehensive Drug Treatment Program.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on September 12, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$13,350.96.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Dollar Saver Food Warehouse Attn: Tod Huffman 1012 N. Radio Road Durant, OK 74701	\$456.95
Warehouse Market Attn: Dan Meredith 810 N. Lynn Riggs Blvd. Claremore, OK 74017	\$298.95
Super H. Foods Attn: Chaff Soleman West Gentry Checotah, OK 74426	\$356.95
Warehouse Market Attn: Mike Haines 12601 E 86th St. North Owasso, OK 74055	\$356.95
Brattain Foods Attn: Barbara Hodges P.O. Box 919 Muskogee, OK 74402	\$992.47
Apple Market Attn: Jim Newcomb 316 East Main St. Pawhuska, OK 74056	\$285.95

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

RESTITUTION AND FORFEITURE CON'T

Homeland #545 Attn: Joe Humphrey 12572 E 21st Tulsa, OK 74129	\$335.25
Albertson's Attn: Jack Williams 3328 E 51st Tulsa, OK 74135	\$235.85
Price Mart #5 Attn: Becky Noah 9136 E 31st Tulsa, OK 74145	\$285.95
Price Mart Attn: Kenny McBride 1000 West Will Rogers Blvd. Claremore, OK 74017	\$621.80
Warehouse Market #35 Attn: Jerry Carroll 250 South SH 97 Sand Springs, OK 74063	\$335.25
Warehouse Market #27 Attn: Bill Clak 2041 W. Houston Broken Arrow, OK 74012	\$285.95
Albertson's #2225 Attn: Tammy Gunnells 3612 S. Elm Place Broken Arrow, OK 74011	\$238.85

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

RESTITUTION AND FORFEITURE CON'T

Reasor's Inc. \$1,963.60
Attn: Daryl Buck
200 West Choctaw
Tahlequah, OK 74464

Warehouse Market \$285.95
Attn: General Manager
1700 Wood Drive
Okmulgee, OK 74447-6824

Albertson's Store Comp. Office \$571.10
Attn: Department R
250 Parcenter Blvd.
Boise, ID 83716

Warehouse Market \$385.95
Attn: John Carnes
6230 N. Peoria
Tulsa, OK 74126

Buy-for-Less \$159.57
Attn: General Manager
2415 E. Admiral Place
Tulsa, OK 74110

Office Depot \$928.30
Attn: Hoffman
7950 E. 51st
Tulsa, OK 74145

Office Depot \$386.64
Attn: Brent Harrison
2010 S. Sheridan
Tulsa, OK 74112

May's Drug Store \$116.29
6705 E 81st, Suite 155
Tulsa, OK 74133

Defendant: CHARLES ALLEN CRITTENDEN

Case Number: 97-CR-032-02-K

RESTITUTION AND FORFEITURE CON'T

Office Max 3605 Warrensville Center Road Shaker Heights, OH 44122	\$321.42
Price Mart #7 7114 S. Sheridan Rd. Tulsa, OK 74133	\$285.95
Kong's Korner Attn: Perry 14591 S. Highway 66 Claremore, OK 74017	\$37.15
Payless Shoesource Attn: Shelly Macom 998 W. Will Rogers Blvd. Claremore, OK 74017	\$57.99
Tacora Mart Rt. 5 Box 473 Claremore, OK 74017 Attn: Esther	\$24.51
Stax Groceries 809 S. Wood Drive Okmulgee, OK 74447 Attn: Les Brown	\$34.01
Stax Groceries #2666 Attn: Margie Lewis 2301 S. Washington Bartlesville, OK 74006	\$39.96
Homeland Loss Prevention Department Attn: Ernie Deyle P.O. Box 25008 Oklahoma City, OK 73125	\$2,320.20

Defendant: CHARLES ALLEN CRITTENDEN

Case Number: 97-CR-032-02-K

RESTITUTION AND FORFEITURE CON'T

Atoka Foods Center
901 Mississippi
Atoka, OK 74525
Attn: Robert Powell

\$345.25

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, except that no further payment be required after the sum of the payments actually paid by all defendants has fully covered the compensable injury to the victim in this case.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: CHARLES ALLEN CRITTENDEN
Case Number: 97-CR-032-02-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	I
Imprisonment Range:	10 months to 16 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ 13,350.96

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
8-20-97

UNITED STATES OF AMERICA

v.

Case Number 97-CR-033-02-K

ERNEST WILLIAM STEAGALL
Defendant.

FILED

AUG 18 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Philip J. Inbardi, Clerk
U.S. DISTRICT COURT

The defendant, ERNEST WILLIAM STEAGALL, was represented by Ronald L. Daniels.

On motion of the United States the court has dismissed Count 2 of the Indictment.

The defendant pleaded guilty May 31, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

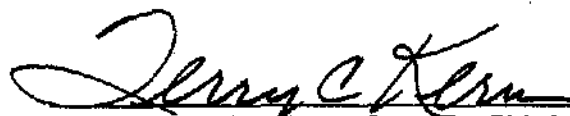
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
3 USC 371	Conspiracy to Commit Bank Fraud	9/95	1

As pronounced on August 13, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15 day of August, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 338-56-2960

Defendant's Date of Birth: 2/28/64

Defendant's residence and mailing address: 3021 W. 45th Place, Tulsa OK 74107

Defendant: ERNEST WILLIAM STEAGALL
Case Number: 97-CR-033-02-K

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ERNEST WILLIAM STEAGALL
Case Number: 97-CR-033-02-K

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: ERNEST WILLIAM STEAGALL
Case Number: 97-CR-033-02-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$7,752.68.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Oklahoma Attn: Kyle Hunt PO Box 2300 Tulsa OK 74192	\$7,752.68

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma or transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, except no further payments shall be required after the sum of the amount actually paid by the defendant and his codefendant, Juan Manual Garcia, has fully covered all of the compensable injuries.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ERNEST WILLIAM STEAGALL
Case Number: 97-CR-033-02-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except: The Court finds that the offense did not involve more than minimal planning; therefore, two (2) points under § 2F1.1(b)(2) shall not apply.

Guideline Range Determined by the Court:

Total Offense Level:	6
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ 7,752.68

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-155-001-K

FILED

AUG 18 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET

DATE 8-20-97

KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART; ALEXIA MEYERS; ALEXIS MEYER
 Defendant.

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

The defendant, KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART; ALEXIA MEYERS; ALEXIS MEYER, was represented by R.W. Byars.

On motion of the United States the court has dismissed count(s) 1 of the Indictment.

The defendant pleaded guilty May 6, 1997, to Count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513 & 2	Uttering Counterfeit Securities & Aiding & Abetting	08/03/96	1

As pronounced on August 6, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15 day of August, 1997.


 The Honorable Jerry C. Kern, Chief
 United States District Judge

Defendant's SSN: 448-52-4001

Defendant's Date of Birth: 10/27/51

Defendant's mailing address: 2234 S. Indianapolis, Tulsa OK 74114

Defendant's residence address: Tulsa County Jail

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections as the place of service of this sentence, thereby making this sentence concurrent with the defendant's undischarged term of imprisonment imposed pursuant to Cleveland County Oklahoma District case CRF 96-1319.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$220,677.62.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>			<u>Amount of Restitution</u>
David Anderson 5419 E. 110th Pl. Tulsa OK 74137	\$1,200.00	Farmer's Insurance Claim #N595687 PO Box 470244 Tulsa OK 74147-0244	\$1,000.00
Carl Beck 28783 E. 61 St. Broken Arrow OK 74014	3,200.00	Frankie Clark Rt. 4, Box 1 Wagoner OK 74467	664.50
Michael Calavan 621 E. 53rd Street S. Muskogee OK 74403	4,125.00	Gordon Dill 435 Dickerson Lane Columbia MS 39701	6,300.00
Jay Edzards 600 Shadow Creek Ct. Norman OK 73072	1,100.00	Hartford Insurance Claim #993MD08256 Policy #38P4592900 3520 N.W. 58th Oklahoma City OK 73112	10,900.00
Greg Frizzell 1413 Truman Ave Wagoner OK 74467	1,300.00	Allstate Insurance Claim #4654095703 5800 E Skelly Dr, Ste 1000 Tulsa OK 74135	13,700.00
D.L. Foraker 4918 SE Hardin Drive Lawton OK 73501	142.40	Hartford Insurance Co. Claim #993MD04045 3520 NW 58th Street Oklahoma City OK 73112	5,657.60
USAA Insurance Claim #4327799 PO Box 33490 San Antonio TX 78265	7,169.50	Les Peterson 1750 N. Aspen Broken Arrow OK 74012	2,000.00

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE CONT

Silvey Insurance Co. Claim #A920041-05-001 Attn: Becky Brown File PO Box 3269 Tulsa OK 74102	18,964.10	Robert Hughes 1310 Aspen Lane Catoosa, OK 74015	3,300.00
Robert Tesey 11529 Cibola Drive Broken Arrow OK 74012	500.00	Rena Lindeman 129 Mockingbird Lane Claremore OK 74017	2,250.00
Farmer's Insurance Claim #38112723 PO Box 470244 Tulsa OK 74147	9,800.00	John McCoy Rt. 1 Box 574 Sperry, OK 74073	7,250.00
Cecile McDaniel Rt. 2 Box 187 Coweta OK 74429	4,600.00	Joseph McLaughlin 200 Janeway Dr, #104 Cullman AL 35505	8,000.00
Michaela Mootry 462 Earlene Ave Inola OK 74036	1,200.00	Jerry Nance 2807 E 3rd Street Tulsa OK 74014	2,200.00
Deborah Negrete 1936 W. Pittsburgh Broken Arrow OK 74012	3,800.00	James C. Niles 1492 Summerton Pl. Yukon OK 73099	17,600.00
James Pennington 8226 S 74 E Ave Tulsa OK 74133	12,500.00	Commercial Union Ins. PO Box 268801 Oklahoma City OK 73126	8,634.00
Janet Schuller 13137 E 79 Ct. North Owasso OK 74055	115.62	State Farm Insurance Claim#36-D394-899 PO Box 1589 Broken Arrow OK 74013	1,584.38
Brad Stroud 806 Rockwood Mounds OK 74047	4,300.00	Phyllis Vaden 812 E. Michigan Phoenix AZ 85022	22.00
Allstate Insurance 5800 E Skelly Dr, Ste 1000 Tulsa OK 74135	9,978.00	Kenley F. Milburn 6704 S. Peach Ave Broken Arrow, OK 74014	250.00

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE CON'T

State Farm Insurance Claim# 361449285 P.O. Box 470128 Tulsa, OK 74147	8,323.33	Ray Engle 209 E. F Street Jenks, OK 74037	500.00
Farmers Insurance Group Claim #38121263 PO Box 470244 Tulsa OK 74147	10,169.69	Atlanta Casualty Claim# 30150160-03 P.O. Box 105436 Atlanta, GA 30348	8,000.00
State Farm Insurance Claim# 361385151 P.O. Box 6010 Tulsa, OK 74148	4,800.00	Luke Abbott Rt1-Box 470 Okmulgee, OK	3,000.00
State Farm Insurance Claim# 361350217 3300 E. Shawnee Muskogee, OK 74403	4,677.50	Greg and Tami Jean Ward 703 W. Kiowa Cleveland, OK 74020	500.00
Shelter Insurance Claim# 3038275 1718 W. Broadway Columbia, MO 65718	5,400.00		

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, except that no payment shall be required after the sum of the amounts actually paid by all defendants has fully covered all of the compensable injuries.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	II
Imprisonment Range:	15 months to 21 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 546,833
Restitution:	\$ 220,677.62

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

CM

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

AUG 19 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 96-CR-088-01-BU

JANE ELIZABETH WHITAKER
Defendant.

ENTERED ON DOCKET

DATE AUG 20 1997

JUDGMENT OF ACQUITTAL

The defendant, Jane Elizabeth Whitaker, was represented by Craig Bryant.

The defendant has been found not guilty on count 1 of the Indictment on August 19, 1997, and is discharged as to such count. IT IS ORDERED that the Defendant is acquitted and discharged, and any bond is exonerated.

Signed this the 19 day of August, 1997.


Michael Burrage
Chief United States District Judge

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk


Deputy

11

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 13 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)

Plaintiff)

VS)

Case Number: 92-CR-060-001-B

MICHAEL J. MORRIS)

Defendant)

ENTERED ON DOCKET

AUG 14 1997

ORDER REVOKING TERM OF SUPERVISED RELEASE

Now on this 11th day of August, 1997, this cause comes on for sentencing after finding that the defendant violated his term of supervised release conditions as set out in the Superseding Petition on Supervised Release filed on September 17, 1996. The defendant is present in person and with his attorney, Tony Graham. The Government is represented by Assistant United States Attorney Charles McLoughlin, and the United States Probation Office is represented by Bradford Stewart.

On January 4, 1993, Morris was sentenced to a thirty month term of imprisonment, to be followed by a three year term of supervised release in Northern District of Oklahoma case 92-CR-060-001-B, following his guilty plea to a one-count Indictment which charged Use of False Social Security Number, in violation of 18 U.S.C. § 408 (a)(7)(B). Morris was ordered to pay a special assessment of \$50 and to make restitution in the amount of \$6,741.

The term of supervised release commenced on March 29, 1995. On August 3, 1995, following a finding that Morris had violated the conditions of his supervised release, an Order Modifying Conditions of Supervised Release was issued by this Court. On January 25, 1996, following another finding that Morris had violated the conditions of his supervised release, an Order Modifying Conditions of Supervised Release was issued by this Court. On October 7, 1996, a Superseding Petition on Supervised Release was filed in this district, alleging a new violation and

I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk

By

Deputy

other violations. The revocation hearing was conducted on October 8, 1996, with a finding that the defendant violated his conditions of supervised release as presented in the Petition.

Pursuant to U.S.S.G. § 7B1.1(a)(2), conduct constituting a federal, state, or local offense punishable by a term of imprisonment exceeding twenty-five years is a Grade A violation. Upon a finding of a Grade A violation the term of supervised release shall be revoked, pursuant to U.S.S.G. § 7B1.3(a)(1). A Grade A violation and Criminal History Category of V establish an imprisonment term of 24 months. In consideration of these findings and pursuant to U.S. v Lee, 957 F.2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 are not mandatory but must be considered by the Court, the following is ordered:

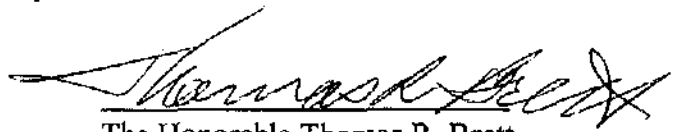
The term of supervised release is hereby revoked, and the defendant is committed to the custody of the Bureau of Prisons for a term of 6 months. The remaining restitution amount of \$4,230 is reimposed. The restitution shall be due immediately, and any amount not paid immediately shall be paid during the term of supervised release. It is recommended to the Bureau of Prisons that the defendant be placed in an institution where continued psychological treatment is possible to assist Morris in adjusting to a new life absent fraud and deception in financial matters, and it is also recommended that the Freedom Ranch in Tulsa, Oklahoma be designated as the place of confinement.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of thirty (30) months. Within 72 hours of release from the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released. If the term of supervised release is revoked, up to 18 months of additional imprisonment could be imposed.

While on supervised release, you shall not commit another federal, state, or local crime. You are prohibited, during the term of supervised release, or afterward, from possessing a firearm or other

shall comply with the special conditions previously imposed in this case on January 4, 1994, August 3, 1995, and January 25, 1996. In addition, the following special condition of supervised release is imposed: "You are prohibited from engaging in any type of employment which involves the processing of credit applications, or the solicitation of investors or lenders for yourself or others. Specifically, you are prohibited from being involved in any capacity in the field of mortgage brokering. If you are involved in the sale of automobiles, you can process applications, but they must be approved by a supervisor or someone in the chain of command within the automobile agency."

The defendant shall report to the facility designated by the Bureau of Prisons before 11:00 a.m. on September 15, 1997. Pending his voluntary surrender, the Court orders that in addition to the conditions of bond previously set, the defendant shall also abide by the standard conditions of supervised release, the special conditions previously imposed on January 4, 1993, August 3, 1995, and January 5, 1996; and additionally, you are prohibited from engaging in any type of employment which involves the processing of credit applications, or the solicitation of investors or lenders for yourself or others. Specifically, you are prohibited from being involved in any capacity in the field of mortgage brokering. If you are involved in the sale of automobiles, you can process loan applications, but they must be approved by a supervisor or someone in the chain of command."


The Honorable Thomas R. Brett
Senior United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 12 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

LAROAN VERNERS,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

No. 93-CR-1-2-C
97-C-475

ORDER

ENTERED ON DOCKET
AUG 13 1997

Currently pending before the Court is the motion filed by defendant, Laroan Vernal, seeking to vacate, set aside, or correct his sentence, pursuant to 28 U.S.C. § 2255.

On February 3, 1993, Vernal was named in a three Count Superseding Indictment for violations of controlled substance and firearms laws. On October 21, 1993, a jury convicted Vernal of Count One, possession of cocaine base with intent to distribute and aiding and abetting, in violation of 21 U.S.C. §§ 841(a)(1), 860(a), and 18 U.S.C. § 2; Count Two, possession of a firearm during commission of a drug offense, in violation of 18 U.S.C. § 924(c); and Count Three, establishment of manufacturing operations, and aiding and abetting, in violation of 21 U.S.C. § 856(a)(1) and 18 U.S.C. § 2. On January 7, 1994, Vernal was sentenced to 315 months imprisonment on Count One and 240 months imprisonment on Count Three, to run concurrently. Vernal was additionally sentenced to 60 months imprisonment on Count Two, to run consecutively to Counts One and Three. Vernal's convictions were affirmed on appeal except that his conviction for aiding and abetting was reversed; the Circuit further affirmed the amount of cocaine attributable to Vernal. U.S. v. Vernal, 53 F.3d 291 (10th Cir.1995). On September 11, 1995, Vernal was resentenced to the same sentence originally imposed. Vernal's sentence was affirmed on appeal in an unpublished opinion. U.S. v.

Verners, 111 F.3d 140 (10th Cir.1997).

On May 15, 1997, Verner's present § 2255 motion was filed. Verners moves this Court to vacate, set aside, or correct the sentence imposed upon him based on the following grounds: 1) several claims of ineffective assistance of counsel, and 2) that his conviction under § 924(c) must be vacated in light of recent Supreme Court precedent.

Prior to addressing the merits of Verners' motion, the Court notes that the present motion is actually his second § 2255. Verners' first § 2255 was filed on May 15, 1996. However, Verners subsequently withdrew his motion, and on August 13, 1996, the Court entered a Minute Order directing that the § 2255 be withdrawn without prejudice. The Court further notes that § 2255, as amended by the Antiterrorism and Effective Death Penalty Act of 1996, requires that a "second or successive motion . . . be certified as provided in section 2244 by a panel of the appropriate court of appeals" However, the Court concludes that the "second or successive" requirements of § 2255 do not apply to Verners' present motion, and that the Court is authorized to consider the merits of the present motion. Since Verners' first § 2255 was dismissed without prejudice, this Court has never considered the merits of any § 2255 previously filed by Verners. See, Farmer v. McDaniel, 98 F.3d 1548, 1558 (9th Cir.1996), cert. denied, 117 S.Ct. 1474 (1997); In re Turner, 101 F.3d 1323 (9th Cir.1997); U.S. v. Diaz, 1997 WL 180334 (E.D.Pa.1997) (because defendant's initial § 2255 was dismissed without prejudice, the court will treat defendant's present motion as his first § 2255). Thus, the Court turns to the merits of Verners' present motion.

Typically, "§ 2255 is not available to test the legality of matters which should have been raised on appeal." U.S. v. Walling, 982 F.2d 447, 448 (10th Cir.1992). A failure to raise an issue on direct appeal acts as a bar to raising the issue in a § 2255 motion, unless Verners can show cause and actual

prejudice, or can show that a fundamental miscarriage of justice will result if his claim is not addressed. U.S. v. Allen, 16 F.3d 377, 378 (10th Cir.1994). This procedural bar applies to collateral attacks on a defendant's sentence, as well as his conviction. Id. Since the government raised this procedural bar in the instant case, this Court must enforce it and hold Verners' claims barred unless cause and prejudice or a miscarriage of justice is shown. Id.

In order to evade this procedural bar, Verners relies upon the well-established exception, and now the universal claim, of ineffective assistance of counsel. "A defendant may establish cause for procedural default by showing he received ineffective assistance of counsel." U.S. v. Cox, 83 F.3d 336 (10th Cir.1996). To succeed on a claim of ineffective assistance of counsel, Verners must satisfy the rigid standard contained in Strickland v. Washington, 466 U.S. 668 (1984). The Supreme Court in Strickland held that a claim of ineffective assistance of counsel has two components. First, Verners must show that his attorney "made errors so serious that counsel was not functioning as the 'counsel' guaranteed . . . by the Sixth Amendment." Id. at 687. "The proper standard for attorney performance is that of reasonably effective assistance." Id. Therefore, to succeed, Verners must show that his counsel's performance fell below an objective standard of reasonableness. Furthermore, Verners must show that "the deficient performance prejudiced the defense." Id. However, "a court must indulge a strong presumption that counsel's conduct falls within the wide range of reasonable professional assistance" Id. at 689. For the reasons stated below, the Court concludes that Verners failed to satisfy the Strickland standard for demonstrating ineffective assistance of counsel.

Verners first asserts that his trial counsel was under an impermissible conflict of interest at the time Verners was tried. Verners claims that during the pretrial conference, his counsel advised the Court of a possible conflict of interest. Verners states that after reviewing a copy of a particular

affidavit, counsel discovered that another of his clients was named in the affidavit regarding Verners' storage unit. Counsel believed that this individual had provided the government with evidence regarding Verners' membership in a conspiracy. Verners claims that the record reflects counsel's concern regarding a possible conflict of interest to Verners and this other client who may have provided information against Verners. Verners also cites counsel's possible conflict of interest regarding yet another client who is likewise mentioned in the affidavit.

The Court, however, does not find ineffective assistance with respect to this issue. On the contrary, the Court finds that counsel was extremely candid and forthcoming in advising the Court prior to trial of a potential ethical dilemma. Counsel stated to the Court during pretrial that he desired to be "absolutely open with the Court . . . and advise Your Honor of the potential for these two problems and look to Your Honor for guidance as to how . . . this issue should be addressed." The Court went on to state that if these other clients of counsel would not be called to testify against Verners, there would be no problem. In fact, neither of the two individuals who were named in the affidavit and who were clients of Verners' counsel was called as a witness, nor was evidence introduced relating to these individuals. It is clear that these two individuals had no bearing on the outcome of the trial.

Verners further contends that he was prejudiced by the fact that these individuals could not be called as defense witnesses because of the conflict of interest. The Court finds, however, that Verners failed to show that had these individuals been called as witnesses, that they would have provided exculpatory testimony or that the result of the proceedings would have been different. Indeed, it appears that it was to Verners' benefit to not have these individuals testify since it appears that they had cooperated to some extent with the government. Further, the Court advised counsel

that these individuals could be called if counsel associated himself with someone who did not have either of these individuals as clients.

Hence, the Court finds that Verners' trial counsel conducted himself in an extremely professional and ethical manner in bringing the possible conflict to the Court's attention prior to trial, and the Court further concludes that counsel's performance certainly did not fall below the level of professionalism expected from a reasonably effective advocate. Further, the Court finds that Verners failed to establish prejudice inasmuch as he failed to show that the outcome of his trial would have been different had counsel withdrawn from the proceedings or had the individuals testified. Thus, Verners' first argument fails.

Verners further contends that his appellate counsel was ineffective in failing to raise the conflict issue on direct appeal. Verners claims that the conflict issue would have been a "dead bang winner" on appeal. However, as the Court finds that trial counsel conducted himself properly and that no prejudice arose from any alleged conflict, the Court further finds that the Circuit would have affirmed this Court's decisions regarding the potential conflict issue. Contrary to Verners' argument, the record reveals that this Court did, in fact, make an extensive and more than adequate inquiry into the possibility of a conflict once the issue was brought to the attention of the Court. Only after assuring itself that Verners would receive a fair trial and that certain procedures would be employed to alleviate any potential conflict, and after further assuring itself that such potential conflict would not have a bearing on the outcome of the trial, the Court permitted the case to go forward. Thus, Verners failed to show that had this issue been presented to the Circuit, the result would have been different.

Verners next contends that trial counsel failed to file a motion to suppress and object to the

evidence of the search. Verners contends that he had standing to have counsel raise a Fourth Amendment defense, and he further claims that counsel could have filed a motion to suppress the fruits of the search. Verners also contends that he was prejudiced by counsel's failure to file such a motion to suppress. Verners additionally argues that had counsel made an attempt to suppress the evidence that the motion would have been granted.

However, Verners' mere conclusory statements are insufficient. Verners has failed to articulate any basis upon which any motion to suppress might have been granted. To simply suggest that counsel failed to move to suppress evidence is insufficient. Verners must show that the failure to make such a motion actually prejudiced the defense. That is, Verners must present specific reasons for the suppression of evidence, and specifically cite particular defects in the search and seizure. Verners has failed to do so, and the Court would never permit conclusory allegations to justify a motion to suppress. Without articulating specific facts showing that the search and seizure were improper, the Court would have overruled any motion to suppress. Thus, Verners' argument fails.

Verners next complains of jury contamination and trial counsel's failure to move for mistrial. Verners states that before deliberations began, the Court received a note from one of the jurors stating that a certain juror wished to be excused due to the relatively close neighborhood proximity to defendants and the fact that he recognized the defendants. Verners further states that in a conversation with his attorney, Verners elected to keep the juror and not move for a mistrial because he did not want to do anything that would keep him at the county jail for several more months. Thus, trial counsel requested that the Court insist that the juror serve as sworn to by oath.

The Court made inquiry with the concerned juror, who complained that he may be fearful of some sort of reprisal and that this could affect his ability to render an impartial decision. Following

the inquiry, the Court conducted extensive discussions with counsel regarding possible jury contamination. The Court further inquired into whether the concerned juror voiced his fears of possible reprisal to the other jurors. The concerned juror stated that he had told the other jurors that he was afraid of his family getting hurt because he lived in the same area as defendants. The Court advised counsel for all parties that it must assume that the other jurors understood the basis of the concerned juror's request of recusal and that they knew he had some fear.

Although Verners informed trial counsel that he did not want the case retried, trial counsel advised the Court that it was his professional judgment that he move for a mistrial. However, trial counsel requested a further conference with Verners to discuss the matter. Upon returning to court, trial counsel advised the Court that he had conferred with Verners and that it was Verners' specific instruction to proceed to a jury verdict and not to move for a mistrial. Trial counsel further stated in the record that he believed Verners' decision was "absolutely a mistake," and that Verners' best interests dictated a mistrial due to possible jury contamination. Trial counsel further informed the Court that he had specifically advised Verners that he thought the decision was a mistake.

Although Verners objected through counsel, the Court removed the concerned juror from the jury on the basis of his potential inability to remain impartial, and the Court replaced him with an alternate. The Court then examined the jury to determine if anything had compromised their ability to render an impartial verdict. The members of the jury indicated that they could remain impartial and nothing had occurred which might affect the deliberative process.

In a conference with counsel, Verners instructed his counsel not to move for a mistrial. In Verners' present motion, Verners cites a colloquy between himself and counsel in which counsel advised Verners that the Court was excusing the concerned juror due to partiality. To this, Verners

replied, "well get the other guy." Once again, counsel asked Verners if he did not want to move for a mistrial, and counsel advised Verners that he should move for a mistrial. Nevertheless, Verners insisted that he did not want a mistrial because he didn't "want to be sitting up in that dirty county jail another six or seven months again." Finally, the Court directly examined Verners and asked if it was his desire that no mistrial be declared. Verners responded in the affirmative.

It is therefore abundantly clear that Verners has failed to establish ineffective assistance of counsel with regard to jury contamination. In several instances, trial counsel advised both Verners and the Court that Verners' decision to proceed and not to move for a mistrial was a mistake. However, Verners himself made the final decision to ignore his attorney's advice and proceed with the trial, presumably because he did not want to be placed in county jail for several months awaiting a new trial.¹ Furthermore, Verners has completely failed to demonstrate prejudice. There is absolutely no indication that Verners would have been acquitted had a mistrial been ordered. Moreover, based on this record, the Court finds that had appellate counsel raised this issue on appeal, the result would have been the same. The Court is of the opinion that the Circuit would have concluded that Verners waived his right to a mistrial and that it was Verners' own decision to proceed to a verdict. Hence, this argument fails.

The Court finds that Verners failed to demonstrate that he received ineffective assistance of counsel under the standard pronounced in Strickland. The Court does not agree that the result of the proceedings would have been different but for the alleged errors of counsel. That is, the Court finds

¹ Moreover, had the Court ordered a mistrial without Verners' consent, the Double Jeopardy clause would have precluded a new trial. See, *Earnest v. Dorsey*, 87 F.3d 1123, 1128 (10th Cir.1996), cert. denied, 117 S.Ct. 527 (1996). Hence, it was necessary for the Court to proceed to the verdict given Verners' adamant stance against a mistrial.

that Verners failed to show that "there is a reasonable probability that, but for counsel's [alleged] unprofessional errors, the result of the proceeding would have been different." Strickland at 694. Indeed, the Court views trial counsel's performance as highly professional, and the Court further finds that the manner in which he represented his client fell well within the wide range of acceptable professional performance.

The Court next turns to Verners' contention that his conviction under § 924(c) must be vacated in light of Bailey v. U.S., 116 S.Ct. 501 (1995). Verners attacks the five year consecutive sentence imposed under Count Two as invalid due to intervening change in law resulting from the Bailey decision. Verners states that the firearms at issue were seized from a bedroom of his mother's house at a time when Verners was not present. Although Verners' conviction was proper under Circuit precedent at the time of his trial, it is now clear that Verners' conviction under Count Two must be vacated in light of Bailey's interpretation of the term "use" contained in § 924(c).

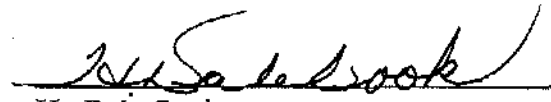
The government concedes that Verners' conviction under Count Two should be vacated. However, the government requests that a hearing be held to determine whether a two-level enhancement should now be applied to Verners' sentence, pursuant to Guidelines § 2D1.1(b)(1). That section provides that if a dangerous weapon was possessed in relation to a controlled substance crime, defendant's sentence shall be increased by two levels. This particular enhancement could not have been applied to Verners at his original sentencing due to his conviction under § 924(c)(1) and the Guidelines' prohibition on double counting. The government argues that the two-level enhancement is now proper since Verners' conviction under § 924(c)(1) is vacated pursuant to Bailey.

Verners strenuously argues that this Court is without authority to resentence him and impose

a firearms enhancement. However, the Circuit recently held in U.S. v. Mendoza, 1997 WL 369590 (10th Cir.1997), that this Court does possess both the authority and the duty to resentence Verners in light of the vacatur of the § 924(c) sentence. Further, Mendoza authorizes the Court to enhance Verners' sentence at the resentencing hearing pursuant to § 2D1.1(b)(1) if the facts of this case justify such an enhancement.

Accordingly, Verners' motion to vacate, set aside, or correct sentence is hereby **DENIED**, except that his conviction under Count Two for use of a firearm during a drug trafficking crime pursuant to 18 U.S.C. § 924(c)(1) is hereby **VACATED**. The judgment is modified to delete from the sentence the sixty months for the § 924(c)(1) conviction imposed under Count Two. Further, the Clerk is hereby directed to set this matter for a hearing in order to determine whether a two-level enhancement pursuant to Guidelines § 2D1.1(b)(1) is applicable. Evidentiary hearing set Thursday, Sept. 18, 1997, 10:00 a.m.

IT IS SO ORDERED this 8th day of August, 1997.


H. Dale Cook
U.S. District Judge

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-30-~~0~~ ENTERED ON DOCKETDATE 8-12-97

LEON LESTER WOODRUFF
Defendant.

FILED

AUG 11 1997

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, LEON LESTER WOODRUFF, was represented by Wayne M. Copeland.

The defendant pleaded guilty May 5, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1709	Embezzlement of Mail	1/21/97	1

As pronounced on August 5, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8 day of August, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 306-50-5184

Defendant's Date of Birth: 11/4/44

Defendant's residence and mailing address: 436 S. 51 Street, Tulsa OK 74127

Defendant: LEON LESTER WOODRUFF
Case Number: 97-CR-30-01-K

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of four (4) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: LEON LESTER WOODRUFF
Case Number: 97-CR-30-01-K

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LEON LESTER WOODRUFF
Case Number: 97-CR-30-01-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$2,051.00.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Joyce & Pollard Attorneys at Law Attn: Sheryl Schoeffler 515 S. Main Street Tulsa OK	\$2,051.00

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: LEON LESTER WOODRUFF
Case Number: 97-CR-30-01-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	I
Imprisonment Range:	4 months to 10 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 2,051.00

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

[Signature]

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
 DATE 8-12-97

UNITED STATES OF AMERICA

v.

Case Number 97-CR-50-01-K

SHIRLEY MARIE SMITH
 Defendant.

FILED

AUG 11 1997

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

The defendant, SHIRLEY MARIE SMITH, was represented by William D. Lunn.

The defendant pleaded guilty May 6, 1997, to Count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 4	Misprision of a Felony	9/14/95	1

As pronounced on August 6, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8 day of August, 1997.


 The Honorable Terry C. Kern, Chief
 United States District Judge

Defendant's SSN: 441-36-5848

Defendant's Date of Birth: 3/9/37

Defendant's residence and mailing address: Rt 3 Box 12, Miami OK 74354

Defendant: SHIRLEY MARIE SMITH
Case Number: 97-CR-50-01-K

PROBATION

The defendant is hereby placed on probation for a term of one (1) year.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
4. The standard condition of probation shall be modified to allow the defendant travel to the Western District of Missouri for the medical treatment of her spouse.

The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: SHIRLEY MARIE SMITH
Case Number: 97-CR-50-01-K

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,500, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: SHIRLEY MARIE SMITH
Case Number: 97-CR-50-01-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	2
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$100 to \$ 5,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

DATE 8-12-97UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

UNITED STATES OF AMERICA

AUG 11 1997

v.

Case Number 96-CR-155-001-K

Phil Lombardi, Clerk
U.S. DISTRICT COURTKAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART; ALEXIA MEYERS; ALEXIS MEYER
Defendant.JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART; ALEXIA MEYERS; ALEXIS MEYER, was represented by R.W. Byars.

On motion of the United States the court has dismissed count(s) 1 of the Indictment.

The defendant pleaded guilty May 6, 1997, to Count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 513 & 2	Uttering Counterfeit Securities & Aiding & Abetting	08/03/96	1

As pronounced on August 6, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8 day of August, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 448-52-4001

Defendant's Date of Birth: 10/27/51

Defendant's mailing address: 2234 S. Indianapolis, Tulsa OK 74114

Defendant's residence address: Tulsa County Jail

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections as the place of service of this sentence, thereby making this sentence concurrent with the defendant's undischarged term of imprisonment imposed pursuant to Cleveland County Oklahoma District case CRF 96-1319.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$220,677.62.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>		<u>Amount of Restitution</u>
David Anderson 5419 E. 110th Pl. Tulsa OK 74137	\$1,200.00	Farmer's Insurance Claim #N595687 PO Box 470244 Tulsa OK 74147-0244 \$1,000.00
Carl Beck 28783 E. 61 St. Broken Arrow OK 74014	3,200.00	Frankie Clark Rt. 4, Box 1 Wagoner OK 74467 664.50
Michael Calavan 621 E. 53rd Street S. Muskogee OK 74403	4,125.00	Gordon Dill 435 Dickerson Lane Columbia MS 39701 6,300.00
Jay Edzards 600 Shadow Creek Ct. Norman OK 73072	1,100.00	Hartford Insurance Claim #993MD08256 Policy #38P4592900 3520 N.W. 58th Oklahoma City OK 73112 10,900.00
Greg Frizzell 1413 Truman Ave Wagoner OK 74467	1,300.00	Allstate Insurance Claim #4654095703 5800 E Skelly Dr, Ste 1000- Tulsa OK 74135 13,700.00
D.L. Foraker 4918 SE Hardin Drive Lawton OK 73501	142.40	Hartford Insurance Co. Claim #993MD04045 3520 NW 58th Street Oklahoma City OK 73112 5,657.60
USAA Insurance Claim #4327799 PO Box 33490 San Antonio TX 78265	7,169.50	Les Peterson 1750 N. Aspen Broken Arrow OK 74012 2,000.00

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE CONT'D

Silvey Insurance Co. Claim #A920041-05-001 Attn: Becky Brown File PO Box 3269 Tulsa OK 74102	18,964.10	Robert Hughes 1310 Aspen Lane Catoosa, OK 74015	3,300.00
Robert Tesey 11529 Cibola Drive Broken Arrow OK 74012	500.00	Rena Lindeman 129 Mockingbird Lane Claremore OK 74017	2,250.00
Farmer's Insurance Claim #38112723 PO Box 470244 Tulsa OK 74147	9,800.00	John McCoy Rt. 1 Box 574 Sperry, OK 74073	7,250.00
Cecile McDaniel Rt. 2 Box 187 Coweta OK 74429	4,600.00	Joseph McLaughlin 200 Janeway Dr, #104 Cullman AL 35505	8,000.00
Michaela Mootry 462 Earlene Ave Inola OK 74036	1,200.00	Jerry Nance 2807 E 3rd Street Tulsa OK 74014	2,200.00
Deborah Negrete 1936 W. Pittsburgh Broken Arrow OK 74012	3,800.00	James C. Niles 1492 Summerton Pl. Yukon OK 73099	17,600.00
James Pennington 8226 S 74 E Ave Tulsa OK 74133	12,500.00	Commercial Union Ins. PO Box 268801 Oklahoma City OK 73126	8,634.00
Janet Schuller 13137 E 79 Ct. North Owasso OK 74055	115.62	State Farm Insurance Claim#36-D394-899 PO Box 1589 Broken Arrow OK 74013	1,584.38
Brad Stroud 806 Rockwood Mounds OK 74047	4,300.00	Phyllis Vaden 812 E. Michigan Phoenix AZ 85022	22.00
Allstate Insurance 5800 E Skelly Dr, Ste 1000 Tulsa OK 74135	9,978.00	Kenley F. Milburn 6704 S. Peach Ave Broken Arrow, OK 74014	250.00

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

RESTITUTION AND FORFEITURE CON'T

State Farm Insurance Claim# 361449285 P.O. Box 470128 Tulsa, OK 74147	8,323.33	Ray Engle 209 E. F Street Jenks, OK 74037	500.00
Farmers Insurance Group Claim #38121263 PO Box 470244 Tulsa OK 74147	10,169.69	Atlanta Casualty Claim# 30150160-03 P.O. Box 105436 Atlanta, GA 30348	8,000.00
State Farm Insurance Claim# 361385151 P.O. Box 6010 Tulsa, OK 74148	4,800.00	Luke Abbott Rt1-Box 470 Okmulgee, OK	3,000.00
State Farm Insurance Claim# 361350217 3300 E. Shawnee Muskogee, OK 74403	4,677.50	Greg and Tami Jean Ward 703 W. Kiowa Cleveland, OK 74020	500.00
Shelter Insurance Claim# 3038275 1718 W. Broadway Columbia, MO 65718	5,400.00		

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: KAREN L. HART a/k/a KAREN LEA DYER; REBECCA LEA HART
Case Number: 96-CR-155-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	II
Imprisonment Range:	15 months to 21 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 546,833
Restitution:	\$ 220,677.62

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

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UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
 DATE 8-12-97

UNITED STATES OF AMERICA

v.

Case Number 97-CR-024-001-K

DEBORAH PETERS OLDAKER
 Defendant.

FILED

AUG 11 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, DEBORAH PETERS OLDAKER, was represented by Stephen Knorr.

On motion of the United States the court has dismissed Counts 2 through 5 of the Indictment.

The defendant pleaded guilty April 16, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
8 USC 1029(a)(2) & 2(b)	Use of Unauthorized Access Device & Causing A Criminal Act	10/12/96	1

As pronounced on August 4, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8 day of August, 1997.


 The Honorable Terry C. Kern, Chief
 United States District Judge

Defendant's SSN: 447-54-2502

Defendant's Date of Birth: 05/18/54

Defendant's residence and mailing address: 1721 E. 60th Place, Tulsa OK 74105

Defendant: DEBORAH PETERS OLDAKER
Case Number: 97-CR-024-001-K

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall serve the first six (6) months (180 days) in community confinement, as scheduled, arranged, and approved by the U. S. Probation Office. The defendant may be allowed to maintain employment while in community confinement.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DEBORAH PETERS OLDAKER
Case Number: 97-CR-024-001-K

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$33,236.24.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
AT&T Universal MasterCard Attn: Dave Garrett Acct # 5396-4200-0184-3235 PO Box 45042 Jacksonville FL 32232	\$9,587.89
1st North American Nat'l Bank Attn: Denise L. Sutton Acct # 4053-5500-0905-5911 800 Parkway Pl, Ste 500 Marietta GA 30067	\$4,159.27
Bank of New York Attn: Antony Forte Acct # 4253-3302-0016-6806 1080 Broad Hollow Road Farmingdale NY 11235	\$5,907.38
Texaco Attn: Bobby Shaver Acct # 1120958192 PO Box 790001 Houston TX 77279	\$697.17
JC Penney Acct # 422-540-838-61 4580 Paradise Blvd NW Albuquerque NM 87201	\$40.69
Harris Trust & Savings Bank Charge-It-System Attn: Peggy Aradi Acct # 4681-2070-5055-2628 700 E. Lake Cook Road Buffalo Grove IL 60089	\$947.12
Citicorp Credit Services Attn: Terry Gearhart Acct # 4128-0032-6187-3627 2323 N. Central Expressway Richardson TX 75080	\$4,924.36

Defendant: DEBORAH PETERS OLDAKER
Case Number: 97-CR-024-001-K

RESTITUTION AND FORFEITURE CONT'D

Bank of Boston Attn: Iris Sloke Acct # 4326-8911-1081-9126 6922 N. 97th Circle Omaha NE 68122	\$4,457.31
MBNA America Attn: Mary Ann Sowinski Acct # 5329-0119-5612-3491 PO Box 15730 Wilmington DE 19885	\$473.32
Sears Payment Center Acct # 0653992623377 PO Box 29208 Phoenix AZ 85038-9208	\$832.08
Hurley State Bank Attn: Cheryl Acct # 7738134049442 PO Box 5002 Sioux Falls SD 57117	\$1,209.65

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: DEBORAH PETERS OLDAKER
Case Number: 97-CR-024-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ 33,236.24

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

[Handwritten signature]

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 7 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

DAVID THOMAS FULLER,

Defendant.

No. 96-CR-57-B

FILED ON DOCKET

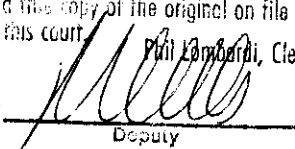
AUG 6 9 1997

ORDER

Now on this 7th day of Aug 1997, this cause comes on to be heard in the matter of the plaintiff's Amended Motion for Leave to Dismiss, without prejudice, the Superseding Indictment against defendant DAVID THOMAS FULLER in the above styled cause. The Court finds that said request ought to be granted and the Superseding Indictment against defendant DAVID THOMAS FULLER is dismissed, without prejudice.

IT IS SO ORDERED.


THOMAS R. BRETT, Senior Judge
United States District Court

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
By  Phil Lombardi, Clerk
Deputy

DATE **AUG 08 1997**

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-27-001-H ✓

ROBERT WAYNE MYERS
Defendant.

FILED

AUG 7 1997

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, ROBERT WAYNE MYERS, was represented by Craig Bryant.

On motion of the United States the court has dismissed Count 2 of the Indictment.

The defendant pleaded guilty May 2, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371	Conspiracy to Commit Bank Fraud	1/26/96	1

As pronounced on August 1, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Indictment, which shall be due immediately.

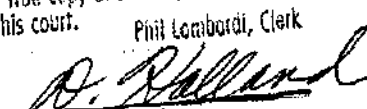
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 7TH day of August, 1997.


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 445-44-4900
Defendant's Date of Birth: 9/27/47
Defendant's mailing address: 24345 1/2 E. 5th Place, Tulsa OK
Defendant's residence address: PO Box 212, Sand Springs OK 74063

United States District Court
Northern District of Oklahoma } SS
I hereby certify that this is a true copy of the original in this court.

Phil Lombardi, Clerk
By 
Deputy

Defendant: ROBERT WAYNE MYERS
Case Number: 97-CR-27-001-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on September 2, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ROBERT WAYNE MYERS
Case Number: 97-CR-27-001-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-i 28, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ROBERT WAYNE MYERS
Case Number: 97-CR-27-001-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$9,994.69.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Oklahoma, N.A. Attn: Lowell Faulkenberry One Williams Center Tulsa OK 74103	\$9,994.69

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ROBERT WAYNE MYERS
Case Number: 97-CR-27-001-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	V
Imprisonment Range:	18 months to 24 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 9,994.69

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

ENTERED ON CLERK

AUG 08 1997 FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 7 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 97-CR-028-01-H

ROBERTA JOAN BUDIG
Defendant.**JUDGMENT IN A CRIMINAL CASE**
(For Offenses Committed On or After November 1, 1987)

The defendant, ROBERTA JOAN BUDIG, was represented by Julia O'Connell.

On motion of the United States the court has dismissed Counts 1 through 12 of the Indictment.

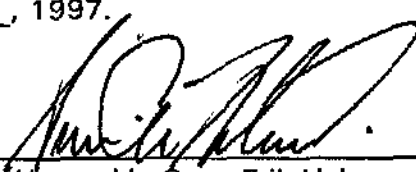
The defendant pleaded guilty May 2, 1997, to Count 1 of the Superseding Information. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
8 USC 2113(c)	Theft of Bank Funds	9/9/95	1

As pronounced on August 1, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Superseding Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 7th day of August, 1997.

 The Honorable Sven Erik Holmes
 United States District Judge

Defendant's SSN: 514-60-9065

Defendant's Date of Birth: 9/26/54

Defendant's residence and mailing address: 10913 E. 39th Street, Tulsa OK 74114

 United States District Court) SS
 Northern District of Oklahoma)
 I hereby certify that the foregoing
 is a true copy of the original on file
 in the court.

Phil Lombardi, Clerk

By W. Holland
Deputy

Defendant: ROBERTA JOAN BUDIG

Case Number: 97-CR-028-01-H

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of four (4) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the United States Probation Office.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ROBERTA JOAN BUDIG
Case Number: 97-CR-028-01-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$10,000.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Boatmen's/NationsBank Attn: Leslie Mayes 5950 E. Admiral Place Tulsa OK 74115	\$10,000

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ROBERTA JOAN BUDIG
Case Number: 97-CR-028-01-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	I
Imprisonment Range:	4 months to 10 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 16,829.90

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason(s): because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

17

AUG 08 1997

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 7 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-031-001-H

ALAN RAY CAMPBELL
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, ALAN RAY CAMPBELL, was represented by Julia L. O'Connell.

The defendant pleaded guilty May 2, 1997, to Count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 2113(a)	Bank Robbery	2/6/97	1

As pronounced on August 1, 1997, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 7TH day of August, 1997


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 440-60-3336

Defendant's Date of Birth: 8/27/54

Defendant's residence and mailing address: Rt. 3 Box 128, Bristow OK 74010

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk

By 
Deputy

Defendant: ALAN RAY CAMPBELL
Case Number: 97-CR-031-001-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months.

The Court makes the following recommendations to the Bureau of Prisons: classification provisions permitting, the Court recommends that the defendant be confined in a facility capable of providing comprehensive substance abuse treatment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 on September 2, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ALAN RAY CAMPBELL

Case Number: 97-CR-031-001-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ALAN RAY CAMPBELL
Case Number: 97-CR-031-001-H

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 2,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: ALAN RAY CAMPBELL
Case Number: 97-CR-031-001-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$270.00.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American National Bank & Trust Company Attn: Dena Summers PO Box 1406 Sapulpa OK 74066	\$270.00

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ALAN RAY CAMPBELL
Case Number: 97-CR-031-001-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except: Line 3, within paragraph 7, was modified to indicate campbell's father, Paul Campbell, rather than Robert Campbell.

Guideline Range Determined by the Court:

Total Offense Level:	19
Criminal History Category:	I
Imprisonment Range:	30 months to 37 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 6,000 to \$ 60,000
Restitution:	\$ 270.00

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

TP

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-005-001-BU

CAROL E. HOWE a/k/a "Freya"

Defendant.

FILED

AUG 6 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT OF ACQUITTAL

The defendant, Carol E. Howe, was represented by Clark O. Brewster.

ENTERED ON DOCKET
AUG 6 7 1997

The defendant has been found not guilty on Counts 1, 2, & 3 of the Indictment on August 1, 1997, and is discharged as to such counts. IT IS ORDERED that the Defendant is acquitted and discharged, and any bond is exonerated.

Signed this the 6th day of August, 1997.



The Honorable Michael Burrage, Chief
United States District Judge

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk

By 
Deputy

101

UNITED STATES DISTRICT COURT Northern District of Oklahoma

FILED

AUG 6 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 96-CR-149-02-BU

DEMETRIOUS PHILLIPS
Defendant.

ENTERED ON DOCKET

DATE AUG 6 7 1997

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

The defendant, DEMETRIOUS PHILLIPS, was represented by Stephen J. Knorr.

On motion of the United States the court has dismissed Counts 8, 9, 10 of the Second Superseding Indictment.

The defendant pleaded guilty January 21, 1997, to Counts 1 & 11 of the Second Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1), (b)(1)(C) & 18 USC 2	Distribution of Controlled Substance and Aiding and Abetting	7/23/96	1
26 USC 5861(c), 18 USC 2	Transfer of a Firearm and Aiding and Abetting	9/4/96	11

As pronounced on July 31, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for count(s) 1 & 11 of the Second Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 6th day of August, 1997.


The Honorable Michael Burrage, Chief
United States District Judge

Defendant's SSN: 447-70-6850

Defendant's Date of Birth: 5/19/73

Defendant's residence and mailing address: 3908 W. 56th Place, Tulsa OK 74107

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Defendant: DEMETRIOUS PHILLIPS
Case Number: 96-CR-149-02-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 23 months as to Counts 1 & 11 to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Defendant be placed in the intensive and comprehensive substance abuse program.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DEMETRIOUS PHILLIPS
Case Number: 96-CR-149-02-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, as to Counts 1 & 11, to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. Pursuant to 21 USC § 862(a)(1)(A), the defendant is declared ineligible for any or all Federal benefits for a period not to exceed his discharge from the term of supervised release.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DEMETRIOUS PHILLIPS
Case Number: 96-CR-149-02-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	15	
Criminal History Category:	I	
Imprisonment Range:	18 months to 24 months	Counts 1 & 11
Supervised Release Range:	2 to 3 years	Counts 1 & 11
Fine Range:	\$ 4,000 to \$ 40,000	Counts 1 & 11
Restitution:	\$ n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the official on file
in this court.

Phil Lombardi, Clerk

By David M. Collins
Deputy

12

8-7-97

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BOYD SCHULTHEISS and
KELLI SCHULTHEISS,

Defendants.

No. 94-CR-113-K

FILED

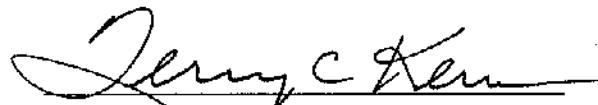
AUG 06 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER

Now on this 31st day of July, 1997 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendants Boyd Schultheiss and Kelli Schultheiss in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendants Boyd Schultheiss and Kelli Schultheiss is dismissed, without prejudice.

IT IS SO ORDERED.



TERRY C. KEEN

United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

AUG 1 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

United States of America,

Plaintiff

v.

Brant Edward Vandever

Defendant

Case No.: 92-CR-140-001-E

ENTERED ON DOCKET

DATE 8/5/97

ORDER REVOKING SUPERVISED RELEASE

Now on this 22nd day of July 1997, this cause comes on for sentencing, concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed March 11, 1997. The defendant is present in person and represented by counsel, William Lunn, the Government by Kenneth P. Snoke, Assistant U.S. Attorney, and the United States Probation Office is represented by Frank M. Coffman.

On May 7, 1993, Vandever appeared for sentencing after pleading guilty to Embezzlement of Postal Funds, a violation of 18 U.S.C. § 641. Vandever was sentenced to a three (3) year term of probation. The Court ordered him to pay \$3,101.23 in restitution and a \$50.00 special assessment. He began serving his probation term on May 7, 1993.

Vandever's term of probation was revoked on February 25, 1995, for violations of his probation conditions. He was sentenced to five (5) months in the custody of the United States District Court for the Northern District of Oklahoma.

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk

By Samuel M. Ballough
Deputy

Prisons and ordered to serve a three (3) year term of supervised release. In addition to the standard conditions of supervised release, the Court ordered that the defendant participate in a program of mental health and pay \$3,101.23 in restitution. He began serving his term of supervised release on November 4, 1994.

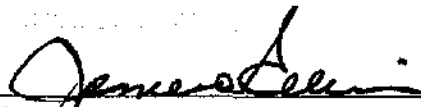
On March 11, 1997, a petition was filed in the Northern District of Oklahoma alleging that Vandever violated conditions of his supervised release. On July 22, 1997, the defendant appeared before the Honorable James O. Ellison for a revocation hearing on the violations listed in the Petition on Supervised Release filed March 11, 1997. The defendant stipulated to the violations and the Court found that Vandever had violated his conditions of supervised release as alleged in the Petition on Supervised Release.

As a result of the sentencing hearing, the Court revokes the defendant's supervised release.

Pursuant to the Sentencing Reform Act of 1984, the Court finds that the instant offense and the violations noted in the Petition on Supervised Release filed March 11, 1997, occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade B violations in accordance with USSG § 7B1.1(a)(2), and that the defendant's original criminal history category of I is applicable for determining the imprisonment range. In addition, the Court finds that Grade B and C violations and a criminal history category of I establish a revocation imprisonment range of 4 to 10 months, in accordance with USSG § 7B1.4(a) and 18 U.S.C. § 3583(e)(3). In consideration of these findings and pursuant to U.S. v. Lee, 957 F 2d 770 (10th Cir., 1992) cert. denied, 113 S. Ct. 475 (1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is the judgment of the Court that the defendant, Brant Edward Vandever, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one (1) year and one (1) day. It is recommended that the U.S. Bureau of Prisons place the defendant at a facility located near New Orleans, Louisiana. It is also recommended that the defendant be tested for the Human Immunodeficiency Virus (HIV). The previous order of restitution remains in effect with an outstanding balance of \$2,911.23. The defendant shall be given credit for time served in custody which began on May 27, 1997.

The defendant is remanded to custody of the U.S. Marshal.


The Honorable James O. Ellison
Senior United States District Judge

DATE

8/1/97

FILED

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

JUL 31 1997

 Phil Lombardi, Clerk
 U.S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 97-CR-074-01-H

TRAVIS W. ASTON
 Defendant.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, TRAVIS W. ASTON, was represented by Stephen Greubel.

The defendant pleaded guilty April 10, 1997, to Count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371	Conspiracy to Commit Wire Fraud, Mail Fraud, and Bank Fraud	11/95	1

As pronounced on July 29, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 31st day of July, 1997.

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this court.

Phil Lombardi, Clerk

By Phil Lombardi
 Deputy

The Honorable Sven Erik Holmes
 United States District Judge

Defendant's SSN: 447-54-7029

Defendant's Date of Birth: 1/9/51

Defendant's residence and mailing address: 716 1/2 N. Lincoln, Sand Springs OK 74063

Defendant: TRAVIS W. ASTON
Case Number: 97-CR-074-01-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on August 28, 1997.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: TRAVIS W. ASTON
Case Number: S7 CR-074-01-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: TRAVIS W. ASTON
Case Number: 97-CR-074-01-H

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$12,000.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American Fidelity Insurance Attn: Tom Kordic Claim #PAP8354219X-Michael Gower Oklahoma City OK	\$3,661.97
Ford Life Insurance Company Attn: Claims Dept., Don Mo Policy #27989009-Michael Gower PO Box 105128 Atlanta GA 30348-5128	\$1,300.97
Homeshield Insurance Company Attn: Beverly Hall Claim #'s 00534345-Travis Aston; 536078-Michael Gower PO Box 26001 Oklahoma City OK 73126	\$1,417.34
First Oklahoma Life Attn: Claims Department Policy on Michael Gower 100 NW 63rd, Ste 300 Oklahoma City OK 73116	\$351.11
Wichita National Life Attn: Betty Robinson Policy #'s 19234-Y-Travis Aston; & 19235-Y-Michael Gower PO Box 1709 Lawton OK 73502	\$1,486.31
U.S. Life Credit Life Insurance Company Attn: Lori Daley Policy #'s JL-37363, JL-85504, JL-85432, & JL-93916 One Woodfield Lake Schaumburg IL 60173	\$688.97
MEGA Life and Health Insurance Attn: Paula Vaughn Policy # 010464-Travis Aston bank loan at Stillwater Nat'l Bank; & Policy # 31068 on GMAC PO Box 548801 Oklahoma City OK 73154	\$2,317.55

Defendant: TRAVIS W. ASTON

Case Number: 97-CR-074-01-H

RESTITUTION AND FORFEITURE CONTINUED

Automobile Club Insurance Company
c/o Adam Weintraub
Policy #885650 - Travis Aston
9 East 4th Street, Ste 910
Reunion Center
Tulsa OK 74103

\$775.78

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: TRAVIS W. ASTON
Case Number: 97-CR-074-01-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 309,368
Restitution:	\$ 154,684

Full restitution is not ordered for the following reason(s): because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): upon motion of the government, as a result of the defendant's substantial assistance.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUL 31 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 96-CR-149-01-BU

MYRON LYDAY a/k/a MONKEY
Defendant.

ENTERED ON DOCKET

DATE AUG 01 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, MYRON LYDAY a/k/a MONKEY, was represented by Art Fleak.

On motion of the United States the court has dismissed Counts 1, 3, 4, & 6 through 11 of the Second Superseding Indictment.

The defendant pleaded guilty January 21, 1997, to Count 2 of the Second Superseding Indictment, and entered a conditional plea of guilty on June 30, 1997, to Count 5 of the Second Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

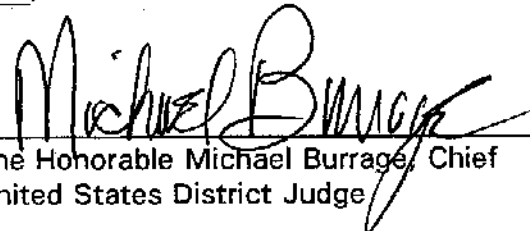
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 841(a)(1) 18 USC 2	Distribution of a Controlled Substance, and Aiding and Abetting	9/14/96	2
18 USC 924(c)	Possession of Firearm During a Drug Trafficking Crime	8/1/96	5

As pronounced on July 25, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for count(s) 2 & 5 of the Second Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the _____ day of _____, 1997.


 The Honorable Michael Burrage, Chief
 United States District Judge

Defendant's SSN: 512-76-4862

Defendant's Date of Birth: 12/14/75

Defendant's residence and mailing address: Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

57

Defendant: MYRON LYDAY a/k/a MONKEY
Case Number: 96-CR-149-01-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 144 months. This term consists of 24 months as to Count 2; 120 months as to Count 5, to be served consecutively to the term imposed in Count 2, for a total sentence of 144 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: MYRON LYDAY a/k/a MONKEY
Case Number: 96-CR-149-01-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, as to each count, terms to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MYRON LYDAY a/k/a MONKEY
Case Number: 96-CR-149-01-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	17	
Criminal History Category:	I	
Imprisonment Range:	24 months to 30 months	Count 2
	120 months	Count 5 mandatory consecutive
Supervised Release Range:	3 years	Count 2
	2 to 3 years	Count 5
Fine Range:	\$ 5,000 to \$ 1,000,000	Count 2
	\$250,000	Count 5
Restitution:	\$ n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this court.

Phil Lombardi, Clerk

By John G. Cole
Deputy